

1 AN ACT concerning park districts.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Park District Code is amended by
5 changing Section 10-7 as follows:

6 (70 ILCS 1205/10-7) (from Ch. 105, par. 10-7)

7 Sec. 10-7. Sale, lease, or exchange of realty.

8 (a) Any park district owning and holding any real estate
9 is authorized (1) to sell or lease that such property to the
10 State of Illinois, with the State's consent, or another unit
11 of Illinois State or local government for public use, (2) to
12 give the property to the State of Illinois if the property is
13 contiguous to a State park, or (3) to lease that property
14 upon the terms and at the price that the board determines for
15 a period not to exceed 99 years to any corporation organized
16 under the laws of this State, ~~in-either-ease for public use.~~
17 ~~and--provided--that~~ The grantee or lessee must covenant
18 eovenants to hold and maintain the such property for public
19 park or recreational purposes unless the ~~er--such~~ park
20 district obtains other real property of substantially the
21 same size or larger and of substantially the same or greater
22 suitability for park purposes without additional cost to the
23 such district. In the case of property given or sold under
24 this subsection after the effective date of this amendatory
25 Act of the 92nd General Assembly for which this covenant is
26 required, the conveyance must provide that ownership of the
27 property automatically reverts to the grantor if the grantee
28 knowingly violates the required covenant by allowing all or
29 any part of the property to be used for purposes other than
30 park or recreational purposes. Real estate given, sold, or
31 leased to the State of Illinois under this subsection (1)

1 must be 50 acres or more in size, (2) may not be located
2 within the territorial limits of a municipality, and (3) may
3 not be the site of a known environmental liability or hazard.

4 (b) Any park district owning or holding any real estate
5 is authorized to convey such property to a nongovernmental
6 entity in exchange for other real property of substantially
7 equal or greater value as determined by 2 appraisals of the
8 property and of substantially the same or greater suitability
9 for park purposes without additional cost to such district.

10 Prior to such exchange with a nongovernmental entity the
11 park board shall hold a public meeting in order to consider
12 the proposed conveyance. Notice of such meeting shall be
13 published not less than three times (the first and last
14 publication being not less than 10 days apart) in a newspaper
15 of general circulation within the park district. If there is
16 no such newspaper, then such notice shall be posted in not
17 less than 3 public places in said park district and such
18 notice shall not become effective until 10 days after said
19 publication or posting.

20 (c) Notwithstanding any other provision of this Act,
21 this subsection (c) shall apply only to park districts that
22 serve territory within a municipality having more than 40,000
23 inhabitants and within a county having more than 260,000
24 inhabitants and bordering the Mississippi River. Any park
25 district owning or holding real estate is authorized to sell
26 that property to any not-for-profit corporation organized
27 under the laws of this State upon the condition that the
28 corporation uses the property for public park or recreational
29 programs for youth. The park district shall have the right
30 of re-entry for breach of condition subsequent. If the
31 corporation stops using the property for these purposes, the
32 property shall revert back to ownership of the park district.
33 Any temporary suspension of use caused by the construction of
34 improvements on the property for public park or recreational

1 programs for youth is not a breach of condition subsequent.

2 Prior to the sale of the property to a not-for-profit
3 corporation, the park board shall hold a public meeting to
4 consider the proposed sale. Notice of the meeting shall be
5 published not less than 3 times (the first and last
6 publication being not less than 10 days apart) in a newspaper
7 of general circulation within the park district. If there is
8 no such newspaper, then the notice shall be posted in not
9 less than 3 public places in the park district. The notice
10 shall be published or posted at least 10 days before the
11 meeting. A resolution to approve the sale of the property to
12 a not-for-profit corporation requires adoption by a majority
13 of the park board.

14 (d) Real estate, not subject to such covenant or which
15 has not been conveyed and replaced as provided in this
16 Section, may be conveyed in the manner provided by Sections
17 10-7a to 10-7d hereof, inclusive.

18 (e) In addition to any other power provided in this
19 Section, any park district owning or holding real estate that
20 the board deems is not required for park or recreational
21 purposes may lease such real estate to any individual or
22 entity and may collect rents therefrom. Such lease shall not
23 exceed 2 and one-half times the term of years provided for in
24 Section 8-15 governing installment purchase contracts.

25 (f) Notwithstanding any other provision of law, if (i)
26 the real estate that a park district with a population of
27 3,000 or less transfers by lease, license, development
28 agreement, or other means to any private entity is greater
29 than 70% of the district's total property and (ii) the
30 current use of the real estate will be substantially altered
31 by that private entity, the real estate may be conveyed only
32 in the manner provided for in Sections 10-7a, 10-7b, and
33 10-7c.

34 (Source: P.A. 90-14, eff. 7-1-97; 91-423, eff. 8-6-99;

1 91-918, eff. 7-7-00.)